

Conversation Record: Asbestos NESHAP Complaint, Burley, ID

Updated: 8/14/2018

John Pavitt, EPA R10, AOO/A

Date	Person	Contact Info	Summary
2/20/18	Bob Johnson, Asbestos Consultant	(b) (6)	<p>Bob Johnson called and left me a phone message. Asbestos tip and complaint: a guy had demolished a commercial bldg. w/o notification or inspection.</p> <p>I called back and Mr. Johnson said I should call the demo contractor who bid on the job (Brian), but didn't get the job. Johnson said the demo took place in Burley, ID. It was on TV news Saturday night (2/17). Johnson said he was hired to do an asbestos survey by Brian. It was a vacated bldg. that caught fire and damaged the adjacent bldg., same owner. He was told by Brian that the bldg. had ACM: air cell insulation and popcorn ceiling.</p>
2/20/18	Brian Demo Contractor "Rocky Mtn." Co.	(b) (6)	I called twice and left messages for Brian.
2/21/18	Brian Demo Contractor "Rocky Mtn." Co.	(b) (6)	<p>Brian called me back. Gave details on the bldg. demo project. He bid on the project. He walked through the bldg. and saw popcorn ceiling, TSI around piping and mastic on floor. Demo was on KMTV News, Twin Falls, ID. Address of Properties: 122 and 1226 Overland Ave., Burley, ID. One bldg. was a hotel or motel and the other was a movie theater. His bid was to tear down, clear off debris and regrade the land. It did not include asbestos testing from his subcontractor, Bob, or the abatement that would be needed. Brian told the owner (NAME) that asbestos testing was needed and that would increase costs for abatement and disposal. The owner (NAME) told him he would get his own testing, on "advice of attorney" and he was calling in a consultant from Boise. The fire happened on Mon, 1/29/18. On Thursday 2/15, at noon he spoke with the owner (NAME) who said he was hiring his own testers. On Saturday and Sunday 2/17 and 2/18 it was torn down. Demolition method: an excavator on rubber tires. Q: Was a demo permit required? A: probably not. Also, the gas company, Intermountain, went to the demo site during or right after the demo and had to quickly shut off the gas line (it had not been properly shut off).</p>
2/22/18	Millner Butte Landfill, Southern ID Solid Waste	(b) (6)	<p>I called and spoke with the landfill gate attendant, Brandy. Q: have they received demo waste from the Burley fire and demolition. A: She doesn't think so, but will talk with everyone at the landfill to find out. They have a 6-week waiting policy for any burned demo debris, so it's not likely to arrive for a few weeks. Referred me to Nate Francisco who manages asbestos loads. I left a message on Mr. Francisco's phone.</p>

2/23/18	Nate Francisco Millner Butte Landfill, Southern ID Solid Waste	(b) (6)	Francisco called and left me a phone message, re: the burned buildings from Burley.
2/26/18	Nate Francisco Millner Butte Landfill, Southern ID Solid Waste	(b) (6)	<p>Francisco said that they have not received demo debris from the Burley fire, but he is assuming that it will be asbestos-contaminated. He's worried the waste is being hauled and dumped to some other locations. People have said they've seen dump trucks leaving the burn site and hauling away debris. Could be going to area gravel pits for dumping.</p> <p>Provided contact info for: Gary Pawson, Burley Bldg. Dept. Brian Tibbits, Owner (b) (6)</p>
2/26/18	Gary Pawson, Burley Bldg. Dept.	(b) (6) (b) (6)	I left messages by phone and <u>e-mail</u> asking for information about the fire and demolition on Overland Ave, Burley, explaining I'm an asbestos inspector for EPA and have concern there was asbestos in the 2 bldgs.
2/26/18	Melissa Burley Bldg. Dept.	(b) (6)	Melissa returned my call to Gary Pawson , who's out of the office. Said owners of the 2 bldgs. are Breck Pilling and Brian Tibbits. I asked what's going on with the demolished bldgs. now. Melissa said people have been seeing them dump debris "at various spots" in the area that are "dump pits." She said those are dump sites and gravel pits that are probably not authorized to take waste.
2/26/18	Brian Tibbits, Bldg. Co-Owner	(b) (6)	<p>I called and spoke with Mr. Tibbits. He said he collected samples and sent them to Western Labs, on 2/22 and was waiting for results. Q: Professional survey by a trained person? A: He said he had a "local inspector" look at the bldgs. but he didn't think they had asbestos. He collected samples of brick, wood and metal. Fire burned most of the wood. Said he called people in Boise to come take a look and they said they wouldn't go into the bldgs. b/c danger of collapse. The City wanted him to demo the bldgs. Because they were dangerous. Q: who demolished the bldgs.? A: Evan. (Can't recall name of company). Phone # (b) (6) I said rumors are circulating of demo debris being dumped around the area, so are they hauling away the waste? He said nothing has left. He said a recycler put a collection bin on site, and maybe that's left, that's all. Then said he couldn't be sure of waste was hauled away. The only debris is metal I-beams, metal roof. Q: did they get a demo permit? A: he doesn't think the city requires one. Q: was there a boiler? A: no boiler. Q: Insulated pipes? Q: Could be. Said he doesn't know what those pipes in the bldgs. are. Their plan is to keep waste on site, compact it down and pour 8" cement on top to make it a parking lot.</p> <p>Tibbits said he will send me the asbestos lab report. He will fly to China in the morning and would be gone until 3/14. His partner, Breck Pilling will be available. (b) (6)</p> <p>Received: <u>E-mail</u> from Tibbits with asbestos test results. 1 brick, 1 board, 1 piece of metal. No asbestos in samples.</p>

2/27/18	Evan Carnahan Curb Appeal LLC Demolition	(b) (6) (b) (6) (b) (6)	<p>I called Carnahan to ask about the demolition of the 2 buildings @ 1222 and 1226 Overland Ave., Burley. Evan said he was hired by the owners and demo'd the bldgs. On 2/17 and 2/18. The State DOT shut down the road those days to help control the area, so that really helped. The bldgs. Were in danger of collapse. Bricks were falling off, just from the wind. Q: does anyone on his crew, or himself, have asbestos training? A: no, but they know what to look for. Q: spay water on bldg. during demo? A: Yes, they had a water truck with a spray hose. The weather was snow and rain, too. No dust. Q: What happened to debris? Haul away? They hauled off 8 truckloads to a gravel pit. The loads had metal and wood. The owners have test results, which are certified. What does that mean? The report was certified (first it was not, then they got it certified.)</p> <p>Carnahan said he looked at the buildings twice. Once before the fire and once after. Asbestos testing was done <u>before</u> the fire. It tested negative for asbestos. Can he send me the test results? Yes. He also sent the test results to the health inspector in town and the fill dump area. <u>Received:</u> E-mail from Carnahan with same asbestos test results. 1 brick, 1 board, 1 piece of metal. No asbestos in samples. <u>E-mail</u> also included contact info for gravel pit owner (Kloepfer Concrete)</p> <p>The fire happened at the end of January. 12-16 hours for the fire dept. to put it out. He personally walked through the bldg. after the fire and it was too dangerous to go to 2nd floor.</p>
2/27/18	Mike Landrum Kloepfer Concrete Inc. Paul, ID	Cell (b) (6) Office (b) (6)	<p>I called and left a message re: demo debris brought to their property and dumped by Evan with Curb Appeal. I have a concern it may contain asbestos b/c testing is very limited. Mr. Landrum called back. Said last week he got a call from Evan, who is a small contractor. Evan asked what their rates are for dumping. This was misleading – Evan didn't say the waste was coming from the 2 fire damaged and demolished bldgs. – they don't take materials like that. They usually take small amounts of broken concrete, like from a driveway. Once they figured out where the waste was coming from they stopped accepting waste. 8 truckloads came in, 1 day. He said Evan sent him the asbestos test report today, and said EPA "approved" the disposal. I said I have not approved anything. I said I received the report and considered it too limited to tell us much about the waste, it only sampled 1 brick, 1 board, 1 piece of metal. No asbestos in samples collected, but these are not materials that are known to have asbestos. Mr. Landrum said he couldn't agree more.</p> <p>They will not be accepting any more waste from the demolition and have let Curb Appeal know that the waste they brought in will have to be removed. I told Landrum that – unless further testing shows the waste is clean - whoever removes the waste will need to have asbestos training, so they don't expose his workers or the public. I asked him to describe what the waste looks like: He said it has both inert material and degradable</p>

			material. What does he see in the waste? He said brick, lumber, masonry products and plaster products. I said <u>masonry and plaster are suspect asbestos, and that should be further tested to see if it has asbestos.</u> Landrum said the waste is behind a locked gate and they will not do anything with it until they hear back from EPA that it's acceptable to move it. I said that EPA may need to collect samples and I appreciated his cooperation.
2/28/18	Gary Pawson Burley Bldg. Inspector	(b) (6)	<p>Pawson returned my call and left me a phone message. Said he's been trying to get asbestos test results from "these gentlemen" since before the bldgs. were torn down. Been getting the runaround. They called him Monday night and said they talked with me (EPA) and sent me the results. He still doesn't have the results.</p> <p>I called Pawson back. He said that after the fire, he told Tibbits that he would need to get the bldgs. tested for asbestos prior to demolition. So did his boss. And when Tibbits came into the city office, so did the secretary. They were surprised to see it demolished when it happened.</p>
2/28/18	Brian Demo Contractor "Rocky Mtn." Co.	(b) (6) (b) (6)	<p>I called Brian to go over the information I got from him on 2/21/18.</p> <p>Q: Did he submit his bid and examine the bldgs. before or after the fire? A: After.</p> <p>Q: Who (which property owner) did he talk to on 2/15/18 about asbestos being in the 2 buildings? A: Breck Pilling.</p> <p>Q: In which building did the fire start? A: The old motel, at 1222 Overland Ave. It's the end unit. It spread from there to the old theater at 1226 Overland Ave. The back end of the motel was charred, and the front end (on Overland Ave) was not too bad.</p> <p>Q: Describe what types of suspect asbestos he saw in each building? A: In the old motel bldg. he saw linoleum flooring which he suspects had ACM mastic. In the old theater he saw popcorn ceiling texture in the front entrance, and saw TSI pipe insulation under the stage. The stage was about 3 ft off the floor and he crawled under there. He said he pointed out the suspect ACM to Pilling when they were both in the buildings.</p> <p><u>Other communication with owner Pilling:</u> Brian said he received an e-mail from Pilling saying that he was going to bring in his own asbestos consultant. He agreed to forward it to me. I sent him an e-mail requesting it.</p>
3/1/18	Brek Pilling Bldg. Co-Owner	(b) (6) (b) (6)	<p>I called Mr. Pilling to ask about the status of his bldgs. and provide info on asbestos NESHAP requirements. My questions were</p> <p>Q: Has additional asbestos sampling been done (beyond the 3 samples that Mr. Tibbits sent me)? A: <u>They also collected samples in the fall</u> (before the fire). They had researched what to look for, for asbestos, and collected some samples</p>

			<p>and sent them to the same lab that they used for the 3 samples. The samples included drywall and other things. Unfortunately, the lab told them the package tore open and the samples were ruined – could not be analyzed.</p> <p>Q: Where has waste been hauled for disposal? A: the gravel pit.</p> <p>I said the asbestos testing they did with the 3 samples is not adequate. The materials they sampled are the most unlikely to contain asbestos and more testing is needed to determine if the debris is contaminated. EPA asbestos regulations require a thorough survey before demolition. I said the debris should not be disturbed until it is tested because it may be contaminated. The testing needs to be done by a trained, certified person, an Asbestos Building Inspector. Check the phone book or web for “asbestos consulting, asbestos testing” to see who’s available in his area. Recycling should not take place with the debris because it may be contaminated. Debris should be secured to protect the public. Spray water, cover with tarps, put up fencing, etc.</p> <p>Q: what does he want to do with the demo site? A: he wants to bring wood, only, to the landfill. The landfill is telling him they must wait 6 weeks before bringing it in.</p> <p>Pilling said that when they researched what to look for, for asbestos in buildings, they didn’t think they had any asbestos. They looked for things like pipe insulation, floor tile, popcorn ceiling.</p> <p>When the demolition happened, they didn’t intend to demo it, but their contractor Curb Appeal punched a hole in the front wall, and bricks came down and it was not safe and had to come down then.</p> <p>Pilling said it’s been a trying experience. The bldgs. were arsoned and someone put a bomb in the door handle across the street in a bldg. they were renovating. His father walked through that bldg. from the back and opened the front door from the inside and the bomb fell to the ground but didn’t explode. Close call.</p> <p>I said asbestos testing must be done by someone who is trained and certified, they’ll know what to look for. I recommended he hire a consultant to do that and then we’ll have a better understanding of what’s in the debris. If it’s contaminated, then our regulations address that by saying the clean-up is done in bulk, keep it wet, cover the load and haul to a licensed landfill. On the other hand, if it’s clean, then the debris could go anywhere permitted to accept it. EPA would not be directing them at that point.</p>
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3/2/18	Mollie Mangerich, IDEQ Solid Waste Program	(b) (6) Mollie.Mangerich@deq.idaho.gov	I called to let Mollie know about the 2 demolished buildings in Burley, and that we have some indication at this point that the debris is asbestos contaminated. 8 truckloads of debris went to a gravel pit. The sampling by the owners, just 3 samples, came back negative but other materials were not sampled. Suspect ACM: Observations in the burned bldg. prior to demo include pipe TSI, vinyl flooring/mastic and popcorn ceiling. Observation at the gravel pit include plaster and masonry products. Mollie said the Millner Butte Landfill is excellent, and permitted to accept asbestos. The owners' plan to dispose of waste in the basement of the properties is not going to be accepted by the State. They will have to take the waste to the landfill and it makes sense to go to the closest, permitted facility. She will share this information in IDEQ and begin thinking about how to respond.
3/2/18	Brek Pilling Bldg. Co-Owner	(b) (6) (b) (6)	I sent an e-mail to Mr. Pilling asking that he check in with me once he finds an asbestos consultant. Also advised him to not let a metals recycler remove materials from the demo site and that he take steps to stabilize the site.
3/6/18	Brek Pilling Bldg. Co-Owner	(b) (6) (b) (6)	Mr. Pilling e-mailed me to say the demo site is cordoned off and is covered in snow. Said he hired an asbestos tester consultant who is coming tomorrow (3/7). I replied via e-mail that I was available to talk with him and his consultant and would appreciate going over the sampling plan. I provided him the name and phone number of the Kloepper gravel pit manager so he can gain access and reminded Pilling to have his sampler go to both the gravel pit the demo site to collect samples.
3/6/18	Mike Landrum Kloepper Concrete Inc. Paul, ID	Cell (b) (6) Office (b) (6)	I <u>called</u> and <u>e-mailed</u> Mr. Landrum to check on the status of the debris in his gravel pit. I also told him the Burley property owner was bringing in a consultant and asked that he make his gravel pit available for sampling, tomorrow (3/7). I requested photos of the debris. He said the debris at the Kloepper facility is being maintained behind a locked gate, isolated from other debris in the pit. There are 8 small piles that are distinguished from other debris, so sampling will be easy. He agreed to send me photos at the end of the day. Said he knows both owners of the demolished bldgs., Mr. Tibbits and Mr. Pilling . Lundrum received and acknowledged my e-mail.

3/6/18	Mike Landrum Kloepfer Concrete Inc. Paul, ID	Cell (b) (6) Office (b) (6)	After 5:00 pm, Mr. Lundrum e-mailed me and said that, despite his instructions to employees, <u>an employee at the gravel pit had pushed the Burley demo debris at the site, mixing it with soil and presumably with other demo debris.</u>
3/7/18	Brek Pilling Bldg. Co-Owner	(b) (6) (b) (6)	<p>Mr. Pilling called to say his asbestos consultant had come to Burley that day and collected samples at both the demo site and the gravel pit. Gravel pit debris was “gone” he said, and later learned that the debris had been pushed in the pit. His consultant collected samples anyway. <u>At both locations the consultant found suspect ACM.</u></p> <p>At the demo site the samples included roofing material and material on an adjacent wall (of the next door business). Drywall? At the gravel pit the sampled material included roofing material. Samples results expected next week. <u>Q: who is his sampler?</u> Who does he work for? A: Mr. Pilling said he couldn’t remember. I said the consultant would be sending him a bill with his name on it. Pilling said he had <u>had a concussion and couldn’t recall.</u> I said because of my job, as EPA’s asbestos compliance inspector, I will need to get the documentation showing what was sampled, who did it, etc. He said he will get me the results when they come in next week. I said when the results come in, we can start making plans about what to do next.</p>
3/7/18	Mollie Mangerich, IDEQ Solid Waste Program	(b) (6) Mollie.Mangerich@deq.idaho.gov	I sent an e-mail to Mollie letting her know what happened at the Kloepfer gravel pit, with debris being pushed/mixed with other material. And, I let her know that the building owner’s consultant had collected samples at the demo site and the gravel pit, of suspect ACM. Results expected next week.